UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA

Richmond Division

V	[C]	CA	ΛIΛ	1-P	' A]	LIN	, 20	008.	, INC	٦,

Plaintiffs,

v. Case No. 3:08cv709

JEAN CUNNINGHAM, et al.,

Defendants.

MOTION TO DISMISS

The defendants, Jean Cunningham, Nancy Rodrigues, and Harold Pyon, in their official capacity, by counsel, move to dismiss this matter for the reasons set forth in the accompanying memorandum of law.

JEAN CUNNINGHAM, et al.

By <u>/s/</u>
Counsel

Robert A. Dybing, VSB No. 32712 John A. Gibney, Jr., VSB No. 15754 Attorney for Defendants ThompsonMcMullan, P.C. 100 Shockoe Slip Third Floor Richmond, Virginia 23219 Telephone: (804)649-7545

Fax: (804)780-1813

Email: rdybing@t-mlaw.com

jgibney@t-mlaw.com

Certificate of Service

I certify that on November 6, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to counsel of record.

.

By: /s/
Robert A. Dybing, VSB No. 32712
John A. Gibney, Jr., VSB No. 15754
Counsel for Defendants
ThompsonMcMullan, P.C.
100 Shockoe Slip, Third Floor
Richmond, Virginia 23219
(804)649-7545
Fax: (804)780-1813
rdybing@t-mlaw.com
jgibney@t-mlaw.com